

WaiversFirst Name Last Name Claim Number

Amount OGC Received Date Assigned To Assigned Date
\$8482.33 06/20/2018 Mary O'Lone 06/20/2018

EPA Decision EPA Decision Date Amount Approved Status
APPROVED 09/11/2018 \$8482.33 CLOSED

Appeal Comments

No 12/18/19 supervisor emails that EPA did not pay for her moving expenses.

12/6/19 email to Ann after researching what an employee could read about telework:

The Telework FAQs give the impression that her managers had the authority to do what they did. Fulltime telework is allowed as are AWLs outside the commuting area & they don't have to be at a residence. The AFGE agreement doesn't prohibit fulltime telework. The EPA Telework policy says if you want fulltime telework your DAA or DRA has to approve the request. "If approved, to effect a change in the official duty station, the employee's supervisor or manager must initiate a SF-52 to the servicing HR SSC to document the change on a Notification of Personnel Action (SF-50)." They approved and initiated the paperwork to LV SSC. It just never progressed beyond that point. The Telework policy is silent on what to do if there is a lag between the initiating & the issuance of an SF50. Possession of an SF50 changing the duty station is not one of the listed requirements for establishing a telework agreement.

So even if we decided that it was unreasonable to rely on the direction of her management and HR people, she would have to had to go beyond the Telework FAQs, the AFGE telework agreement, and even the EPA telework policy to the OPM regs to find out there was a duty station & corresponding locality pay problem.

12/6/19 asked RTP SSC whether relocation expenses were paid.

11/20/19 nutshell argument provided to KR. KR responds he decided to wait until after the next CRFLO bi-weekly to make my decision to give Elise time to think about this case and provide any thoughts she might have before issuing the decision. He said: In the meantime, I see no reason for you to find the AFGE telework policy or bargaining unit agreement. I agree that the EPA HR specialists and managers should also have been aware of these documents. Besides, if brought the documents to their attention, I doubt they would have done anything differently. Briefed Elise on waiver request.

11/24/19 responded to questions from Angie about timework agreement.

10/10/19 Responded to Ken's questions.

10/2/19 Ken sent some questions.

9/23/19 draft approval to Ken.

7/8/10 Ryan Atkinson, RTP SSC, emails that issue was discovered by the RTP

SSC in April 2018 when paperwork was submitted to reassign [REDACTED] from OAR to OEI. RTP SSC noticed that she was continuing to receive Ann Arbor locality pay which is higher than RTP. RTP SSC contacted the LV SSC to notify them of this issue and ask why a Change in Duty Station had not been processed in 2016 (they did not have an answer as to why a Change in Duty Station was never processed). RTP SSC had a follow up call with the LV SSC and [REDACTED] in Air to let them know RTP SSC would be changing her duty station to RTP retroactive to 2016 & a debt would be triggered for [REDACTED] once that Change in Duty Station was processed by the LV SSC.

After the LV SSC processed the Change in Duty Station action, the RTP SSC processed her reassignment to OEI. RTP SSC has no knowledge of advice given by OTAQ or the LV SSC. [REDACTED] claimed she was on full time flexiplace, but full time telework was not an option for AFGE employees. [REDACTED] knew to ask about changing her state taxes, so if she knew she needed to change her state taxes, she should have known that she should not have been continuing to receive the higher Ann Arbor locality pay after she moved to NC.

6/12/19 [REDACTED] emails that her old manager confirmed that she signed the two flexiplace agreements in question (August 2016 and October 2016).

6/5/2019 [REDACTED] sends full Bill, ELSs & other information. Still waiting for info re: flexiplace agreement.

5/29/19 asked Ryan Atkinson of RTP HR what exactly was the inaccurate HR guidance [REDACTED] got & if she knows any more about this issue than is in the package of information [REDACTED] submitted. Ryan is looking into it.

5/29/19 asked CFC to get ELSs for Pay Periods 18 in 2016 through Pay Period 04 of 2018 and the complete Bill(s) for Collection she received from IBC (there is an incomplete one in the package). Also to ask whether she ever got answer to question of whether duty station needed to change to RTP since she was still working for Ann Arbor & to provide documentation of the response. Also asked for documentation of direction she or supervisor were given about the flexiplace agreements.

10/11/18 HR denied [REDACTED] request to change duty station. Stating: "In reviewing the documentation submitted, it is evident that you received inaccurate HR guidance surrounding full-time flexiplace and the process for updating your duty station and state taxes from your local HR shop as well as the LV SSC. Unfortunately, our office must still maintain accurate HR personnel actions and follow the Office of Personnel Management (OPM's) rules and regulations surrounding proper federal pay based on your official duty station. In August 2016, Durham, NC became your official duty station. Your eOPF records now accurately reflect the correct duty station, effective date of the change, and appropriate locality pay for

Durham, NC. Our office only has the authority to make corrections based on HR regulatory errors, not an office's administrative oversight."

██████ reinstates her waiver request.

9/11/18 Responded to CFC that they need to figure out if debt is valid.

8/23/18 Per Ken emailed CFC that in light of ██████ request to rescind her retroactive duty station assignment, CRFLO will not continue its review of her current waiver request any further. Please let us know when a decision has been made on her request to rescind the retroactive duty station assignment and what the outcome was. At that time, we will resume review of her waiver request if appropriate.

8/14/18 reassigned to Mary O'Lone

Type

Locality Pay

Attachments

Documents:

Correspondence:

DRAFT Decision & emails about it:

From: Chalifoux, Jessica
Sent: Monday, June 18, 2018 11:02 AM
To: Redden, Kenneth <Redden.Kenneth@epa.gov>
Cc: Luebbering, Gregory <luebbering.gregory@epa.gov>
Subject: Payroll Debt Waiver Requests

Good afternoon,

Please see attached waiver requests for in-service debt for [REDACTED] and out-of-service debt for [REDACTED]. I have included the waiver request forms along with supporting documents that were provided.

Thank you

Jessica Chalifoux
US EPA, Cincinnati Finance Center
Accounts Receivable Branch, Non-Superfund
Regions 1, 4, 6, 8, Travel & Relocation
Phone: (513) 487-2258